

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2002-104-S - ORDER NO. 2002-618 ✓ *de*

AUGUST 29, 2002

IN RE: Application of Moore Sewer, Inc. for)	ORDER MODIFYING
Approval of an Adjustment of Rates and)	PREFILING DATES AND
Charges for the Provision of Sewer Collection)	GRANTING EXTENSION
and for Approval of certain Contractual)	TO ISSUE ORDER
Relationships.)	

This matter comes before the Public Service Commission of South Carolina ("Commission") for modification of prefiling dates in this case filed by Moore Sewer, Inc. ("Moore Sewer" or "Company"). By its request, Moore Sewer sought to have the hearing scheduled for August 7, 2002 in this docket continued, in order for the Company to have the opportunity to publish an amended notice of filing. This Docket involves the Application of Moore Sewer for approval of one or more collection-only services charges applicable to its service area and approval of certain contracts entered into between Moore Sewer and certain parties. The Commission granted Moore Sewer's request and rescheduled the hearing in this matter for September 25, 2002. Additionally, the Commission Staff has filed a Request for an additional five (5) days to issue its Order in this proceeding.

Previously by Order No. 2002-430, dated June 7, 2002, in accordance with the initial hearing date of August 7, 2002, this Commission established prefiling deadlines by which the Applicant, the Commission Staff and/or intervenors were to prefile their testimony and exhibits. The Commission has moved the scheduled hearing from August

7, 2002, until September 25, 2002 and accordingly, Order No. 2002-430, dated June 7, 2002, captioned “Order Establishing Prefiling Deadlines” is modified as follows¹:

The Commission hereby orders that twenty-five copies of the direct testimony and exhibits of the Applicant shall be prefiled on or before **September 4, 2002**, and that twenty-five copies of the direct testimony and exhibits of the Commission Staff and/or intervenors shall be pre-filed on or before **September 11, 2002**. (Direct testimony and exhibits may be post-marked on these dates.) Also, any rebuttal testimony and exhibits of the Applicant shall be pre-filed on or before **September 18, 2002**, and any surrebuttal testimony and exhibits of the Commission Staff and/or intervenors shall be pre-filed on or before **September 23, 2002**. (Rebuttal testimony and exhibits and surrebuttal testimony and exhibits must be in the offices of the Commission and in the hands of the parties on these dates.) Testimony previously submitted may be modified as appropriate within the stated time parameters.

It should be noted that acceptance into the record of surrebuttal testimony and exhibits is subject to the discretion of the Commission. In addition, parties shall serve their pre-filed testimony and exhibits on all other parties of record as required by the Commission’s Rules and Regulations. All parties are reminded that all witnesses must be present during any hearing in this matter at the call of the Chairman, or the Commission may decline to allow the witnesses’ testimony to be read into the record of

¹ The modifications herein relate only to the due dates for prefiling of testimony and exhibits. The instructions concerning filing, number of copies to be filed, and service on other parties have not been modified from Order No. 2002-430, but those instructions are repeated herein for emphasis to the parties.

the proceeding, and/or may decline to allow the witnesses' exhibits to be entered into the evidence of the case.

Please take notice that any party requesting modification of this schedule must file a request for such modification with the Commission.

In regards to the Commission Staff's request for a five (5) day extension for issuance of its Order in this proceeding, S.C. Code Ann. Section 58-5-240(C) (Supp.2001), provides that the Commission must issue its Order ruling on the proposed rates schedules in an Application within six months after the date the schedules are filed. The Application of Moore Sewer was filed with the Commission on April 2, 2002. Therefore, pursuant to S.C. Code Ann. Section 58-9-240(C) (Supp. 2001), the Commission should issue its Order by October 2, 2002. However, S.C. Code Ann. Section 58-5-240(D) (Supp.2001) provides that "[s]hould the Commission determine that it cannot, due to circumstances reasonably beyond its control, issue such order within the six-month period prescribed by this section, the Commission, may, by order, extend the six-month period for an additional five days." The Commission concludes it appropriate to extend the six month period for issuing the Order in the instant matter for an additional five days based upon the newly scheduled hearing date of September 25, 2002, which would not allow the Commission sufficient time to issue its Order by October 2, 2002.

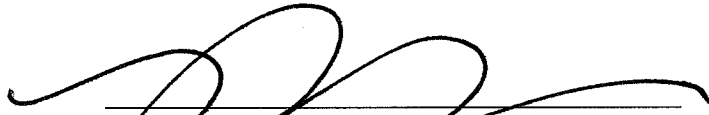
IT IS THEREFORE ORDERED:

1. The scheduling order for filing testimony and exhibits as set out by Order No. 2002-430, dated June 7, 2002, is hereby modified as outlined above.

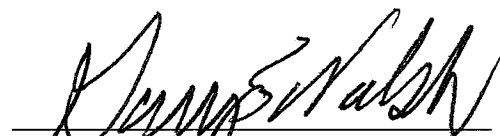
2. The six-month period to issue the Order in the instant matter as required by S.C. Code Ann. Section 58-5-240(C) (Supp.2001) is extended by an additional five days as allowed by S.C. Code Ann. Section 58-5-240(D) (Supp.2001). With the six-month period extended by five days, the Commission's Order in this matter must be issued by October 7 , 2002.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Mignon L. Clyburn, Chairman

ATTEST:


Gary E. Walsh, Executive Director

(SEAL)